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August 24, 2005

**ELECTRONICALLY FILED
AND BY FACSIMILE**

Honorable Nicholas G. Garaufis
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *United States v. Thomas J. Lee, et al.*
Criminal Docket No. 05-0060 (S-2) (NGG)

Dear Judge Garaufis:

As the Court is aware, on August 10, 2005, Thomas Lee pleaded guilty. In light of that plea, and given that Mr. Lee has been on pre-trial release without incident since June 29, 2005, the defense respectfully requests that Mr. Lee's conditions of release be modified as follows:

1. With notice to and approval by the Government, Mr. Lee be permitted to relocate his residence outside the New York area;
2. With notice to and approval by the Government, Mr. Lee be permitted to travel outside the Southern and Eastern Districts of New York to facilitate such relocation;
3. Mr. Lee no longer be required to remain on home detention, and the bail conditions related to home detention, including the taping of telephone calls, the limitations on visitors to the residence, and the banning of cell phones in the residence be removed;
4. If and when Mr. Lee relocates his residence, his supervision be transferred to the federal district in which he resides and that his travel be restricted to that district;
5. If and when Mr. Lee relocates his residence and his supervision is transferred, he be required to report once a week in person to his Pre-Trial Services Officer;

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6. Mr. Lee be required to have daily, week-day telephone contact with his Pre-Trial Services Officer regardless of the district of supervision; and
7. Mr. Lee be required to make best efforts to obtain employment.

If this application is granted by the Court, all currently ordered bail conditions not inconsistent with these modifications would remain in place, including that Mr. Lee have no contact with any known members or associates of the Bonanno Organized Crime Family or any member or associate of any organized crime family.

Both the Government and Mr. Lee's current Pre-Trial Services Officer have no objection to this application.

Respectfully submitted,


Steven M. Cohen

SMC:lc

cc: AUSA Thomas Seigel (via facsimile)
Maggie Smuse, Pre-Trial Services Officer (via facsimile)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, : Cr. No. 05 Cr. 0060 (S-2) (NGG)
Plaintiff, :
vs. : **PROPOSED ORDER**
THOMAS J. LEE, et al., :
Defendants. :
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Upon the application of the defendant, Thomas J. Lee, through his counsel, Steven M. Cohen, and for the reasons set forth in Mr. Cohen's letter to this Court dated, August 24, 2005,

It shall be and hereby is

ORDERED that Mr. Lee's bail conditions shall be and hereby are modified in the following respects: (1) that with notice to and approval by the Government, Mr. Lee be permitted to relocate his residence outside the New York area; (2) that with notice to and approval by the Government, Mr. Lee be permitted to travel outside the Southern and Eastern Districts of New York to facilitate such relocation; (3) that Mr. Lee no longer be required to remain on home detention, and the bail conditions related to home detention, including the taping of telephone calls, the limitations on visitors to the residence, and the banning of cell phones in the residence be removed; (4) that if and when Mr. Lee relocates his residence, his supervision be transferred to the federal district in which he resides and that his travel be restricted to that district; (5) that if and when Mr. Lee relocates his residence and his supervision is transferred, he be required to report once a week in person to his Pre-Trial Services Officer; (6) that Mr. Lee be required to have daily, week-day telephone contact with his Pre-Trial Services Officer regardless

of the district of supervision; and (7) that Mr. Lee be required to make best efforts to obtain employment.

If this application is granted by the Court, all currently ordered bail conditions not inconsistent with these modifications would remain in place, including that Mr. Lee have no contact with any known members or associates of the Bonanno Organized Crime Family or any member or associate of any organized crime family.

In entering this Order, I note for the record that the Government and Pre-Trial Services have no objection to these temporary modifications.

Dated: Brooklyn, New York
August 24, 2005

Honorable Nicholas G. Garaufis
United States District Judge